

09/787,657

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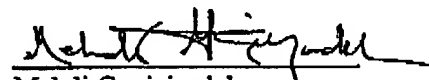
5947-01-MG

SEQ ID NO:3 sets forth the cDNA sequence encoding a human  $\alpha 2\delta$ -C protein. SEQ ID NO:s 43 and 44 set forth splice variants of the human  $\alpha 2\delta$ -C; and SEQ ID NO:s 14, 40, and 41 set forth partial cDNA sequences for the rat  $\alpha 2\delta$ -C. This submission is consistent with the policy stated in MPEP 2434 for examination of "up to 10 independent and distinct nucleotide sequences" in a single application without restriction.

Furthermore, as stated above, the Office Communication has indicated that pursuant to PCT Rules 13.1 and 13.2, the invention pertaining to each sequence ID NO: is a separate invention requiring restriction. With regard to the inventions pertaining to the various SEQ ID NO's: for which the present restriction is maintained, Applicant respectfully requests clarification as to whether it is also the Examiner's position that these inventions are "PATENTABLE (novel and unobvious) OVER EACH OTHER". Please see MPEP 802.01.

Respectfully submitted,

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